

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS – EASTERN DIVISION**

PNC Bank, National Association

Plaintiff

No. 22-cv-6714

Willie Crayton; 155 Harbor Drive Condominium
Association; Harbor Point Homeowners Association

Property Address:
155 N Harbor Drive
Unit 2710
Chicago, Illinois 60601

Defendants.

COMPLAINT

THE PARTIES

1. Plaintiff PNC Bank is a national banking association, which is a citizen of Pennsylvania, that maintains its principal offices and place of business at One PNC Plaza, 249 Fifth Avenue, Pittsburgh, Pennsylvania.

2. Willie Crayton is a citizen of the state of Illinois and is domiciled in Cook County, Illinois.

3. 155 Harbor Drive Condominium Association is an Illinois nonprofit corporation

4. Harbor Point Homeowners Association is an Illinois nonprofit corporation

JURISDICTION AND VENUE

5. Jurisdiction over this matter properly rests within this Honorable Court pursuant to 28 U.S.C. §1332(a)(1). The amount in controversy is in excess of \$75,000.00, exclusive of interest and costs.

6. Venue is proper in this Court pursuant to 28 U.S.C. §1391(b)(1) and (2).

COUNT I - FORECLOSURE OF JUDGMENT LIEN - NO DEFICIENCY SOUGHT

NOW COMES The Plaintiff, PNC Bank, N.A., ("PNC" or "Plaintiff"), by their attorneys, PLUNKETT COONEY, P.C., and for its Complaint to foreclose Judgment Lien states as follows:

7. Plaintiff incorporates paragraphs 1-6 above into this Count I.
8. Plaintiff files this complaint to foreclose its Judgment Lien, (hereinafter called "Lien" or "Judgment") hereinafter described and joins the following persons as Defendants.

Willie Crayton

155 Harbor Drive Condominium Association

Harbor Point Homeowners Association

9. Attached as Exhibit A is a copy of said Memorandum of Judgment (the "Lien" or "Judgment").

10. Information concerning Judgment.
 - a. Nature of instrument: Memorandum of Judgment
 - b. Date of judgment: September 19, 2019
 - c. Name or names of defendant the Judgment is against: Willie Crayton
 - d. Name of Plaintiff or Lien Holder: PNC Bank, National Association
 - e. Date and place of recording, or of filing, if land is registered under "An Act concerning land titles", approved May 1, 1897, as heretofore and hereafter amended:
In the Office of Recorder of Cook County, Illinois on September 23, 2019

- f. Identification of recording: Document No. 1926622093
- g. Interest subject to this Judgment: Fee simple.

h. Amount of original Judgment: as set forth in the Judgment, Five Million, Five-Hundred Five Thousand, Eight and 91/100ths Dollars (\$5,505,008.91)

i. Legal description of the real estate sought to be foreclosed and its common address:

PARCEL 1:

UNIT NUMBER 2710 IN HARBOR DRIVE CONDOMINIUM, AS DELINEATED ON THE SURVEY PLAT OF THAT CERTAIN PARCEL OF REAL ESTATE (HEREINAFTER CALLED PARCEL):

LOTS 1 AND 2 IN BLOCK 2 IN HARBOR POINT UNIT NO. 1, BEING A SUBDIVISION OF PART OF THE LANDS LYING EAST OF AND ADJOINING THAT PART OF THE SOUTH WEST FRACTIONAL $\frac{1}{4}$ OF FRACTIONAL SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. INCLUDED WITHIN FORT DEARBORN ADDITION TO CHICAGO, BEING THE WHOLE OF THE SOUTH WEST FRACTIONAL $\frac{1}{4}$ OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH ALL OF THE LAND, PROPERTY AND SPACE OCCUPIED BY THOSE PARTS OF BELL, CAISSON, CAISSON CAP AND COLUMN LOTS 1-A, 1-B, 1-C, 2-A, 2-B, 2-C, 3-A, 3-B, 3-C, 4-A, 4-B, 4-C, 5-A, 5-B, 5-C, 6-A, 6-B, 6-C, 7-A, 7-B, 7-C, 8-A, 8-B, 8-C, 9-A, 9-B, 9-C, M-LA AND MA-LA, OR PARTS THEREOF, AS SAID LOTS ARE DEPICTED, ENUMERATED AND DEFINED ON SAID PLAT OF HARBOR POINT UNIT NO. 1, FALLING WITHIN THE BOUNDARIES PROJECTED VERTICALLY UPWARD AND DOWNWARD OF SAID LOT 1 IN BLOCK 2, AFORESAID, AND LYING ABOVE THE UPPER SURFACE OF THE LAND, PROPERTY AND SPACE TO BE DEDICATED AND CONVEYED TO THE CITY OF CHICAGO FOR UTILITY PURPOSES.

WHICH SURVEY IS ATTACHED TO THE DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE 155 HARBOR DRIVE CONDOMINIUM ASSOCIATION MADE BY CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE UNDER TRUST NUMBER 58912 RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, AS DOCUMENT 22935653 SAID DECLARATION HAVING BEEN AMENDED BY FIRST AMENDMENT THERETO RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, AS DOCUMENT 22935654, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN SAID PARCEL (EXCEPTING FROM SAID PARCEL ALL OF THE PROPERTY AND SPACE COMPRISING ALL OF THE UNITS THEREOF AS DEFINED AND SET FORTH IN SAID DECLARATION, AS AMENDED AS AFORESAID, AND SURVEY) IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENTS OF ACCESS FOR THE BENEFIT OF PARCEL 1, AFOREDESCRIBED THROUGH, OVER AND ACROSS LOT 3 IN BLOCK 2, OF SAID HARBOR POINT UNIT NO. 1, ESTABLISHED PURSUANT TO ARTICLE III OF DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR THE HARBOR POINT PROPERTY OWNERS' ASSOCIATION MADE BY CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE UNDER TRUST NUMBER 58912 AND UNDER TRUST NUMBER 58930, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, AS DOCUMENT 22935651 (SAID DECLARATION HAVING BEEN AMENDED BY FIRST AMENDMENT THERETO RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS AS DOCUMENT 22935652) AND AS CREATED BY DEED RECORDED AS DOCUMENT 23895878 IN COOK COUNTY, ILLINOIS.

PARCEL 3:

EASEMENTS OF SUPPORT FOR THE BENEFIT OF PARCEL 1, AFOREDESCRIBED, AS SET FORTH IN RESERVATION AND GRANT OF RECIPROCAL EASEMENTS AS SHOWN ON HARBOR POINT UNIT NO. 1, AFORESAID, AND AS SUPPLEMENTED BY THE PROVISIONS OF ARTICLE III OF DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR THE HARBOR POINT PROPERTY OWNERS' ASSOCIATION MADE BY CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE UNDER TRUST NUMBER 58912 AND UNDER TRUST NUMBER 58930, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, AS DOCUMENT 22935651 (SAID DECLARATION HAVING BEEN AMENDED BY FIRST AMENDMENT THERETO RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, AS DOCUMENT 22935652), AND AS CREATED BY DEED RECORDED AS DOCUMENT 23895878 ALL IN COOK COUNTY, ILLINOIS.

Parcel Identification Number: 17-10-401-005-1360

Commonly known as: 155 N. Harbor Drive, Unit 2710, Chicago, IL 60601

j. Statements as to the Memorandum of Judgment:

(i) PNC possesses a valid judgment lien as the result of the Memorandum of Judgment in favor of PNC Bank, NA and against Willie Crayton in the amount of \$5,505,008.91. A copy of the Judgment is attached hereto as Exhibit A.

(ii) Defendant Willie Crayton has been discharged in bankruptcy and Plaintiff is not seeking a personal judgment against Willie Crayton. Amount of the

original Judgment: \$5,505,008.91

- k. Name or names of present owner(s) of the real estate: Willie Crayton
- l. Names of other persons who are joined as defendants and whose interest in or lien on the mortgaged real estate is sought to be terminated:

155 Harbor Drive Condominium Association

Harbor Point Homeowners Association

Unknown Owners and Non-Record Claimants

- m. Name or names of persons claimed to be personally liable for deficiency:
None. Willie Crayton has been discharged in bankruptcy and Plaintiff is not seeking a personal judgment against him.
- n. Capacity in which Plaintiff brings this foreclosure: Plaintiff owns and holds the Judgment against Willie Crayton recorded as Document No. 1926622093, together with all the indebtedness secured thereby.
- o. Facts in support of shortened redemption period, and/or waiver of right of redemption: None at Present Time
- p. Facts in support of request for attorney's fees and of costs and expenses:
None at this time.
- q. Offer to debtor in accordance with 735 ILCS 5/15-1402 to accept title to the real estate in satisfaction of all indebtedness and obligations secured by the Judgment without judicial sale: None at present time.

PRAYER

Plaintiff Prays For:

1. A judgment to foreclose Plaintiff's Judgment Lien.
2. An order granting shortened redemption, if sought.
4. An order granting possession, if sought.
5. Such other and further relief as equity may require.

WHEREFORE, Plaintiff, respectfully requests that this Court enter a judgment of foreclosure in favor of Plaintiff and against Defendants Willie Crayton; 155 Harbor Drive Condominium Association; Harbor Point Homeowners Association; Unknown Owners and Non-Record Claimants, and for other relief as this Court deems just and reasonable.

PNC Bank, National Association N.A.

By: /s/ Matthew L. Hendricksen
One of its Attorneys

Matthew L. Hendricksen
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Open.26645.24035.29962677-1

EXHIBIT A



1926622093

Doc# 1926622093 Fee \$88.00

EDWARD M. MOODY
COOK COUNTY RECORDER OF DEEDS
DATE: 09/23/2019 01:31 PM PG: 1 OF 1

3315 Memorandum of Judgment

(03/11/19) CCG 0015

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PNC Bank, NA

v.

Case No. 09CH20382

South Shore View, LLC et al.

MEMORANDUM OF JUDGMENT

On 9/19/19, judgment was entered in this court in favor of the plaintiff PNC Bank, National Association and against defendant Willie Crayton whose address is 155 North Harbor Dr., Chicago, IL 60601 in the amount of \$ 5,505,008.91.

ENTERED:

Dated: _____

247
Judge

Judge Gerald Cleary
SEP 19 2019
Circuit Court - 2147

Judge's No.

Atty. No.: 61262

Atty Name: Jennifer Walker

Atty. for: Plunkett Cooney PC

Address: 221 N LaSalle St., Suite 1550

City: Chicago

State: IL Zip: 60601

Telephone: 312-670-6900

Primary Email: jwalker@plunettcooney.com

Dorothy Brown, Clerk of the Circuit Court of Cook County, Illinois
cookcountyclerkofcourt.org